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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/516,471

11/29/2004

Rabih Moughelbay

CU-5962

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LADAS & PARRY LLP
224 SOUTH MICHIGAN AVENUE
SUITE 1600
CHICAGO, IL 60604

EXAMINER

SANDY, ROBERT JOHN

ART UNIT

PAPER NUMBER

3677

MAIL DATE

DELIVERY MODE

12/15/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/516,471	Applicant(s) MOUGHELBAY ET AL.	
	Examiner Robert J. Sandy	Art Unit 3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 70-72, 80, 85 and 86 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 70-72, 85 and 86 is/are allowed.
- 6) ☒ Claim(s) 80 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 25 September 2008 has been entered.

This is a non-final Office action responsive to the reply filed on 25 September 2008.

- Claims 70, 80, 85 and 86 have been amended.
- Claims 1-69, 73-79, 81-84, and 87-108 have been canceled.
- Claims 70-72, 80, 85 and 86 are pending.

Claim Objections

Claim 80 is objected to because of the following informalities:

In claim 80, line 8, the phrase “though hole” is not proper and should be changed to read as - - through the hole - -.

In claim 80, line 9, the phrase “enlarged portion” is not proper and should be changed to read as - - the enlarged portion - -.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 80 is rejected under 35 U.S.C. 102(b) as being anticipated by Buettell (U. S. Patent No. 6,276,029). Buettell ('029) discloses card (301, shown in Fig. 3) comprising: a border frame section (portion sheet 301 excluding the lanyard patterns 302A, 302B); and a plurality of

Art Unit: 3677

detachable elongate members (302A, 302B), each of the members being frangibly joined to the border frame section for detachment therefrom (i.e., the members being frangibly joined along the marking defining the lanyard patterns), an enlarged portion (head 110) being defined in at least one of the members for insertion in use through a hole (slit 116) located in the at least one member, the hole having a periphery being entirely surrounded by a material of the member, the enlarged portion being insertable through [the] hole wherein [the] enlarged portion of the member has a transverse width (width of head 110 is “about 3/8 inch”, col. 3, lines 18-19) greater than a corresponding transverse width of the hole (width of slit 116 being “7/32” of an inch, col. 3, lines 42-43).

Allowable Subject Matter

Claims 70-72, 85 and 86 are allowed.

The following is an examiner's statement of reasons for allowance:

Claim 70, and its dependant claims 71 and 72, are allowed in view of the currently amendment to the claim 70, where the hole in the planar enlarged portion has a periphery being entirely surrounded by a material of the member, in addition to the enlarged portion having a raised portion thereon to provide that part of the enlarged portion with a thickness greater than a remainder of the enlarged portion, and the elongate member has the same thickness as the remainder of the planar enlarged portion.

Claim 85, and its dependant claim 86, are allowed in view of the currently amendment to claim 85, where the hole has a periphery being entirely surrounded by a material of the member, in addition to the enlarged portion having a raised portion thereon to provide that part of the enlarged portion with a thickness greater than a remainder of the enlarged portion.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Art Unit: 3677

Response to Arguments

Applicant's arguments with respect to at least the currently rejected claim 80 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Sandy whose telephone number is 571-272-7073. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vic Batson can be reached on 571-272-6987. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert J. Sandy/
Primary Examiner, Art Unit 3677